

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

NO. 4:18-CR-00014-2BO

FILED IN OPEN COURT
ON 11/29/2018 *LD*
Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC

UNITED STATES OF AMERICA :
 :
 v. :
 :
 KEYONTA MAURICE POWELL :

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, pursuant to the entry of a plea of guilty by the defendant, on June 26, 2018 to a violation of 18 U.S.C. §§ 922 (g)(1) and 924(a)(2), and further evidence of record and as presented by the Government, the Court finds that the following personal property is hereby forfeitable pursuant to 18 U.S.C. § 924(d)(1), to wit:

- a) Taurus 9mm pistol, with serial number TGS07268;
- b) Rossi M885 .38 caliber revolver, with serial number W166506;
- c) Ruger P90 .45 caliber pistol, with serial number 661-53218;
- d) Black Smith & Wesson .38 revolver, with serial number 42998; and
- e) Any and all accompanying magazines and ammunition;

AND WHEREAS, by virtue of said finding, the United States is now entitled to possession of said property pursuant to 21 U.S.C. § 853 and Fed. R. Crim. P. 32.2(b)(3);

It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the Guilty Plea by the defendant, the United States is hereby authorized to seize the above-stated property, and it is hereby forfeited to the United States for disposition in accordance with the law, including destruction, subject to the provisions of 21 U.S.C. § 853(n), as allowed by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order shall become final as to the defendant at sentencing.

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Preliminary Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).

3. That pursuant to 21 U.S.C. § 853(n), the United States shall publish notice of this Order and of its intent to dispose of the property in such manner as the Attorney General or the Secretary of Treasury directs, by publishing and sending notice in the same manner as in civil forfeiture cases, as provided in Supplemental Rule G(4). Any person other than the defendant, having or claiming any legal interest in the subject property

must file a petition with the Court within 30 days of the publication of notice or of receipt of actual notice, whichever is earlier.

The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property, and must include any additional facts supporting the petitioner's claim and the relief sought.

4. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853 and 28 U.S.C. § 2461(c), as required by Fed. R. Crim. P. 32.2(c)(2).

SO ORDERED. This 29 day of Mar., 2018.

A handwritten signature in black ink, appearing to read "Terrence W. Boyle", is written over a horizontal line.

TERRENCE W. BOYLE
Chief United States District Judge